

**UNITED STATES OF AMERICA
BEFORE THE NATIONAL LABOR RELATIONS BOARD**

**SULPHUR SPRINGS VALLEY
ELECTRIC COOPERATIVE, INC.**

and

**Cases 28-CA-217779
28-CA-218696**

DAVID SCHMIDT

ORDER¹

The Respondent's Motion to Dismiss certain allegations in the complaint is denied. The Respondent has failed to establish that there are no genuine issues of material fact warranting a hearing and that it is entitled to judgment as a matter of law.

Dated, Washington, D.C., September 28, 2018

LAUREN McFERRAN,	MEMBER
MARVIN E. KAPLAN,	MEMBER
WILLIAM J. EMANUEL,	MEMBER

¹ The National Labor Relations Board has delegated its authority in this matter to a three-member panel.